

WILLMAR CITY COUNCIL PROCEEDINGS
COUNCIL CHAMBERS
WILLMAR MUNICIPAL UTILITIES BUILDING
WILLMAR, MINNESOTA

July 2, 2001
7:00 p.m.

The regular meeting of the Willmar City Council was called to order by the Honorable Mayor Lester Heitke. Members present on a roll call were Mayor Heitke, Council Members Doug Reese, Ron Christianson, Bruce DeBlieck, Denis Anderson, Nancy Houlahan, Rick Fagerlie, Jim Dokken, and David Chapin; Present 9, Absent 0.

Also present were City Administrator Michael Schmit, Police Chief Jim Kulset, Fire Chief Marv Calvin, Public Works Director Mel Odens, Planning and Development Services Director Bruce Peterson, Community Education and Recreation Director Steve Brisendine, and City Clerk Kevin Halliday.

Proposed additions to the agenda included discussion about the Civic Center Citizen Task Force and a Mayoral Commission appointment of Jay Lawton for the Planning Commission.

Council Member Christianson offered a motion adopting the Consent Agenda which included the following: City Council Minutes of June 6, Senior Center Council Minutes of May 2 and June 6, Kandiyohi Area Transit Board Minutes of May 15 and 22, Community Education and Recreation Council Minutes of May 24, Planning Commission Minutes of June 13 and 28, and Building Inspection Report for May, 2001 Council Member Reese seconded the motion which carried.

The Council discussed the June 11, 2001 Municipal Utilities Commission Minutes regarding the fair booth and corn feed promotional activity. Following discussion Council Member DeBlieck offered a motion approving the Municipal Utilities Commission Minutes of June 11 and ordering them placed on file. Council Member Houlahan seconded the motion, which carried.

The Council discussed the Rice Hospital Board Minutes of June 13, 2001 regarding the CEO Compensation. Following discussion Council Member Dokken offered a motion approving the Rice Hospital Board Minutes of June 13 and ordering them placed on file. Council Member Christianson seconded the motion, which carried.

At 7:10 p.m. Mayor Heitke opened a hearing to consider a petition to vacate a portion of a street. Planning and Development Services Director Peterson informed the Mayor and Council that Jennie-O Foods, Inc. has submitted a petition to vacate a small portion of 11th Street and Pacific Avenue Southwest. It was noted the Planning Commission reviewed the petition and was recommending the vacation. There being no one present to speak for or against the proposed street vacation, Mayor Heitke closed the hearing at 7:12 p.m.

Resolution No. 1 was introduced by Council Member Reese, seconded by Council Member Fagerlie, read by Mayor Heitke, and approved on a roll call vote of Ayes 7, Noes 0 - Council Member Anderson abstained from voting.

RESOLUTION NO. 1

VACATING A PORTION OF A PUBLIC STREET

WHEREAS, the vacation of that portion of the dedicated street as described below was initiated by petition of the owner of the footage fronting on and abutting said portion of said street:

That part of the platted 11th Street SW according to the ORIGINAL TOWNSITE OF WILLMAR, as of public record, Kandiyohi County, Minnesota, described as follows: Commencing at the Southeast corner of Block 105 of the FIRST ADDITION TO THE CITY OF WILLMAR, as of public record, Kandiyohi County, Minnesota; thence South, along the East line of the Vacated portion of Pacific Avenue, 30.00 feet to a point in the South line of the said Vacated portion of Pacific Avenue, said point the point of beginning; thence West, along last said line, 7.00 feet; thence South, parallel with the East line of the Vacated portion of 11th Street (Microfilm No. 29806), a distance of 2.00 feet; thence East, Parallel with the South line of said Vacated portion of Pacific Avenue, 20.00 feet; thence North, parallel with the said East line of the Vacated portion of 11th Street, 32.00 feet to the South line of the Vacated portion of 11th Street; thence, West, along last said line, 5.00 feet to the said East line of the Vacated portion of 11th Street; thence South, along last said line, 30.00 feet to the Southeast corner of said Microfilm No. 29806; thence West, along the South line of said Microfilm No. 29806, a distance of 8.00 feet to the point of beginning.

WHEREAS, the proposed vacation has been approved by the Planning Commission of the City of Willmar; and

WHEREAS, published notice and mailed notice of the proposed vacation and the hearing thereon have been given as provided by Subdivision 6 of Section 9.01 of Article IX of the Willmar City Charter; and

WHEREAS, a hearing was duly held on the proposal to vacate that portion of said street on July 2, 2001; and

WHEREAS, the City Council of Willmar finds that it is in the best interests of the City of Willmar to vacate that portion of said street;

NOW, THEREFORE, BE IT RESOLVED, that the above described portion of dedicated street be, and hereby is, vacated.

BE IT FURTHER RESOLVED that a certified copy of this Resolution be filed with the Kandiyohi County Recorder on or after July 12, 2001.

Dated this 2nd day of July, 2001.

/s/ Lester Heitke
MAYOR

/s/ Kevin Halliday
Attest: CITY CLERK

At 7:13 p.m. Mayor Heitke opened a hearing on an Ordinance Amending Willmar Municipal Code Section 3-255 Specifying Who Can Be Served Liquor in a Private Club. The Mayor presented details of the proposed Ordinance. Chuck Haupert, Commander of the American Legion, appeared before the Mayor and Council inquiring as to the affect this ordinance would have on large group gatherings in their hall.

Upon hearing all those who wished to be heard, Mayor Heitke closed the hearing at 7:15 p.m.

The Council discussed various points of the ordinance relative to the wedding/large party contracts that a club may enter into and the requirement of the member to be with the guest the whole time.

Council Member DeBlicke offered a motion to adopt, assign a number and order final publication of the Ordinance Amending Willmar Municipal Code Section 3-255 Specifying Who Can Be Served Liquor in a Private Club. There was no second, therefore the motion died.

At 7:36 p.m. Mayor Heitke opened a hearing on an Ordinance Establishing Minimum Penalties for Violations of Minnesota State Laws or City of Willmar Ordinances Resulting from the Sale of Alcoholic Beverages. The Mayor presented details of the proposed Ordinance.

Upon hearing all those who wished to be heard, Mayor Heitke closed the hearing at 7:38 p.m.

Council Member Reese offered a motion to adopt, assign a number and order final publication of the Ordinance Establishing Minimum Penalties for Violations of Minnesota State Laws or City of Willmar Ordinances Resulting from the Sale of Alcoholic Beverages. Council Member Houlahan seconded the motion. Council Member Chapin offered an amending motion to strike the words of Section 2a requiring attendance at a full Council meeting and replace working for attendance at a Council Committee meeting. Council Member Anderson seconded the motion, which carried on a roll call vote of Ayes 5, Noes 3 - Council Member Houlahan, Fagerlie, and DeBlieck voting "No." The motion then carried a roll call vote of Ayes 7, Noes 1 - Council Member Christianson voted "No."

Mayor Heitke acknowledged that no one had signed up to address the City Council during its scheduled Open Forum.

Mr. Keith Webster appeared before the Mayor and Council to request assistance in his struggle to repair his broken sewer connection under highway 12. Mr. Webster detailed his efforts to repair the broken connection at the main, including his conversations with Mn/DOT and his efforts to connect to the neighbor's sewer line to the west. After repeated failures Mr. Webster was asking the Council to assist in resolving this expensive repair. Following a discussion of possible options Council Member Reese offered a motion directing staff to research other options for the sewer connection and to report their findings to the Public Works/Safety Committee. Council Member Anderson seconded the motion, which carried.

The Public Works/Safety Committee Minutes of June 12, 2001, were presented to the Mayor and Council by Council Member Reese. There were five items for Council consideration.

Item No. 1 The Committee discussed the issue of a dog park, referred from a previous City Council meeting. Staff presented three possible locations for a dog park: Lions Park, Swansson Field, and east of the Waste Treatment Plant. The Committee reviewed the proposed sites with respect to location, parking, size, fencing, and water availability. Tony Hartzburg, representing W-Dog, explained what other communities have done, as well as commented on the three locations as explained by staff.

Staff also informed the Committee that Fancy Coats, a private dog kennel east of Willmar, is planning to construct a dog park this summer. Following discussion, the Committee directed staff to follow-up with Fancy Coats regarding their project, and also directed W-Dog to gather more information regarding site preference from the potential users. This will be brought back to a future Committee meeting. This matter was for information only.

Item No. 2 The Committee reviewed plans and specifications to construct Olena Avenue from 12th Street SE to Lakeland Drive past the proposed YMCA. This project was included in the 2001 Street Project budget. The plans call for complete new construction of Olena Avenue SE, which includes water main, sanitary sewer, storm sewer, and gravel base. The curb and gutter, surfacing, streetlights, and sidewalk will be done in 2002. The Committee was recommending to the Council to approve plans and specifications for the construction of Olena Avenue, and authorize advertisement of bids.

Resolution No. 2 was introduced by Council Member Reese, seconded by Council Member Christianson, read by Mayor Heitke, and approved on a roll call vote of Ayes 8, Noes 0.

RESOLUTION NO. 2

WHEREAS the City Engineer of the City of Willmar has presented to the City Council plans and specifications for Olena Avenue Improvements for the City of Willmar;

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Willmar that:

Final plans and specifications are hereby approved, and publication of the advertisement for bids is herewith authorized. Bids will be publicly opened and read at 1:30 p.m. on the 4th day of September, 2001, at the City Office Building, 333 Southwest Sixth Street, Willmar, Minnesota.

Dated this 2nd day of July, 2001.

/s/ Lester Heitke
MAYOR

/s/ Kevin Halliday
Attest: CITY CLERK

Item No. 3 The Committee considered a Professional Service Agreement with Instrument Control Systems, Inc. which covers services for installing a new master programmable logic computer, and up to four new remote terminal units at lift stations. This system will be using the radio repeater located on the new City radio tower at MUC. This is the first part of phasing out the sewer lift stations from phone line communication to radio communication. It was noted the project was approved in the 2001 Waste Treatment Collections budget. The Committee was recommending to the Council to approve the professional service agreement with ICS, Inc. and authorize the Administrator to sign on behalf of the City.

Resolution No. 3 was introduced by Council Member Reese, seconded by Council Member Christianson, read by Mayor Heitke, and approved on a roll call vote of Ayes 8, Noes 0.

RESOLUTION NO. 3

Whereas the City of Willmar desires to retain a consultant to provide professional engineering services to install a new master programmable logic computer (PCL) and up to four new remote terminal units (RTU's) for the City of Willmar; and

Whereas a proposal has been made by, and an agreement prepared to retain, the firm of Instrument Control Systems, Inc. of Plymouth, Minnesota in a not to exceed amount of \$15,090.00 for said services;

Now therefore be it resolved by the City Council of the City of Willmar that said agreement be approved and that the Mayor and City Administrator be authorized to execute the same.

Be it further resolved that funding for said services be from professional services in the 2001 Wastewater Treatment Collections Budget.

Dated this 2nd day of July, 2001.

/s/ Lester Heitke
MAYOR

/s/ Kevin Halliday
Attest: CITY CLERK

Item No. 4 Staff briefed the Committee on the extent of the storm damage as a result of the June 11, 2001, storm that passed through the area. The City of Willmar escaped without extensive damage, but lost approximately eight trees, numerous limbs, and had some hail damage. It was noted that MUC sent staff to Spicer for assistance with power supply. This matter was for information only.

Item No. 5 Council Member Dokken reminded the Committee that the dedication of the Flags of Honor would be held on Thursday, June 14, 2001. Everyone was encouraged to attend, as Major General The Adjutant General Eugene R. Andreotti will be the keynote speaker. This matter was for information only.

The Public Works/Safety Committee Report of June 12, 2001, was approved as presented and ordered placed on file in the City Clerk's Office upon motion by Council Member Reese, seconded by Council Member Christianson, and carried.

The Labor Relations Committee Report of June 27, 2001, was presented to the Mayor and Council by Council Member Houlahan. There was one item for Council consideration.

Item No. 1 Members of the Municipal Utilities Commission were present to review with the Committee a proposed pay structure update including a re-evaluation of selected jobs, sample step structure, and options for implementation. Following an explanation of the approach used for the pay structure update, a general discussion ensued regarding procedural matters and implications to the City's Pay Equity Program. It was the consensus of those present that additional time was needed to review the materials submitted and to allow for Pay Equity compliance checks.

The group agreed to reconvene in the near future to continue discussion of the Municipal Utilities' proposal. This matter was for information only.

The Labor Relations Committee Report of June 27, 2001, was approved as presented and ordered placed on file in the City Clerk's Office upon motion by Council Member Houlahan and carried.

Police Chief Kulset presented details to the Mayor and Council regarding the 2002 Safe and Sober Grant. The grant would be similar to previous Safe and Sober Grants and would be a joint activity with the Kandiyohi County Sheriff's Department and Atwater Police Department. Safe and Sober targets illegal driving behavior through enforcement and educational programs. Following discussion, Resolution No. 4 was introduced by Council Member Reese, seconded by Council Member Anderson, read by Mayor Heitke, and approved on a roll call vote of Ayes 8, Noes 0.

RESOLUTION NO. 4

AUTHORIZING EXECUTION OF AGREEMENT

BE IT RESOLVED that the Willmar Police Department enter into a grant agreement with the Minnesota Department of Public Safety, Office of Traffic Safety for the project entitled "Safe and Sober Communities" during the period from October 1, 2001, through September 30, 2002.

BE IT FURTHER RESOLVED that Jim Kulset, Chief of Police, is hereby authorized to execute such agreements and amendments as are necessary to implement the project on behalf of the Willmar Police Department.

BE IT FURTHER RESOLVED that the Kandiyohi County Auditor/Treasurer is hereby authorized to be the fiscal agent and administer the grant on behalf of the Willmar Police Department.

Dated this 2nd day of July, 2001.

/s/ Lester Heitke
MAYOR

/s/ Kevin Halliday
Attest: CITY CLERK

Announcements for Council Committee meeting dates were as follows: Finance, July 9; Airport Commission, July 9; Public Works/Safety, July 10; and Labor Relations, July 25, 2001.

Mayor Heitke was requesting authorization to establish a Civic Center Citizen Task Force to study the future of the Civic Center. Mayor Heitke listed various issues needing study such as the 90% revenue to expense guideline, SonShine Fest needs, Willmar High School needs, and the second sheet of ice (Blue Line) building. Following discussion Council Member DeBlieck offered a motion to establish a Civic Center Task Force. Council Member Anderson seconded the motion, which carried.

Mayor Heitke presented his recommendation of Jay Lawton to serve on the Planning Commission. Council Member Anderson moved to approve Jay Lawton to serve on the Planning Commission. Council Member Houlahan seconded the motion, which carried.

There being no further business to come before the Council, the meeting adjourned at 8:44 p.m. upon motion by Council Member Christianson, seconded by Council Member DeBlieck, and carried.

Attest:

MAYOR

SECRETARY TO THE COUNCIL